



## ATTENTION

Probate cases on this calendar are currently under review by the probate examiners. Review of some probate cases may not be completed and therefore have not been posted.

If your probate case has not been posted please check back again later.

Thank you for your patience.

<b>Age:</b> 41	<b>MATTHEW MILLER</b> , Brother and Conservator of the Person, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
<b>DOB:</b> 3-20-71		
	<b>Petitioner states</b> the purpose of this petition is to avoid intestacy and to provide for distribution of the conservatorship estate and the <b>Alison Miller Special Needs Trust</b> . The Conservatee lacks capacity for the proposed action and lacks legal capacity to state a position as to the proposed action. The proposed action is only for the purposes of providing for the ultimate distribution of the conservatorship estate and special needs trust estate on the conservatee's death and will have no adverse effect on the assets available for her care. Petitioner states that the circumstances show the proposed action that Alison Miller, acting as a reasonably prudent person, would take if she had capacity to do so.	<b>Note:</b> The Special Needs Trust established in 1998 was originally created in this conservatorship file and was later assigned a different case number (09CEPR00502). All assets previously held in the conservatorship estate were transferred to the SNT. Upon the petition of Matthew Miller to become Successor Conservator of the Person and Estate; the Court did not find a need for further conservatorship of the estate, and granted conservatorship of the person only.
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified		
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg		
<input checked="" type="checkbox"/> Aff.Mail	W	
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		<p><b>1. Notice of Hearing was not served on Alison Miller (Conservatee) pursuant to Probate Code §§ 2581(a) and 1460(a)(2).</b></p> <p><b>2. Need new order in compliance with Local Rule 7.6.1.D., E. (Probate orders shall be drawn so that their general effect may be determined without reference to the petition on which they are based. The proposed will should be attached to the order, and the signature line should appear at the end.</b></p> <p><b>Note:</b> Alison Miller resides at Melendez Family Home, a care home in Terra Bella, CA., and receives services from CVRC.</p>
	<b>The conservatee's existing estate plan</b> consists of the special needs trust, which provides that the trust shall terminate on the death of the beneficiary and the trustee shall distribute the undistributed balance of the trust estate as the beneficiary may direct by the exercise of a special power of appointment, etc., subject to federal law requiring notice and reimbursement of state claims (language cited and copy provided). The trust provides that if the Conservatee fails to exercise the special power of appointment, that part must be distributed to her "heirs at law," which would be her father.	
	<b>However, based on the following facts, it is reasonable to conclude that the Conservatee would not provide for her father, but would instead provide for her brothers, Andrew Miller and Matthew Miller.</b>	
	When Alison was four months old, she became disabled after suffering a reaction to an immunization vaccine. Since that time, she has been profoundly handicapped, both physically and mentally. Shortly thereafter, her father abandoned her and has had no contact with her and provided no support in the subsequent 40+ years. Alison has a half-brother, Jeremy Miller, that she has never met.	
	Until her death, Alison's mother had been solely responsible for her care, and since her death, Alison's brothers, Andrew and Matthew, have taken responsibility for her care. Since her father and half-brother have not been a part of her life, it is reasonable to conclude that Alison Miller would prefer that the trust estate be given to her brothers.	
	<b>Petitioner requests an Order authorizing Matthew Miller, as Conservator of the Person of Alison Miller, to execute the attached will under Probate Code §2580(b)(13), and for such other and further relief as the court deems proper.</b>	
	The attached will appoints Petitioner as Executor and devises the estate equally to her two brothers.	
<input type="checkbox"/> Aff. Posting		<b>Reviewed by:</b> skc
<input type="checkbox"/> Status Rpt		<b>Reviewed on:</b> 7-10-12
<input type="checkbox"/> UCCJEA		<b>Updates:</b>
<input type="checkbox"/> Citation		<b>Recommendation:</b>
<input type="checkbox"/> FTB Notice		<b>File 1 - Miller</b>

## (1) Third and Final Account and Report of Guardian; (2) Petition for Allowance of Attorneys' Fees and Costs and (3) for Termination of Guardianship [Prob. C. 2620]

Age: 18 DOB: 05/03/94	<b>KARIN SCHMIDT</b> , mother and Guardian, is Petitioner.		<b>NEEDS/PROBLEMS/COMMENTS:</b>  1. The Petition indicates that Heather Schmidt turned 18 on May 3, 2012; however, the account period only goes through 03/30/12. The Court may require more information regarding any activity and the status of the property on hand.
	Account period: 04/01/11 – 03/30/12		
Cont. from	Accounting	- \$37,710.52	<b>Note:</b> Petitioner requests to be released from her duties as guardian of the estate; however, the guardian may only be released upon the filing of an Ex Parte Petition for Final Discharge and Order.  The relief requested in the Petition does not match the relief stated in the submitted Order. The Order includes a statement that the property on hand be distributed outright to Heather Schmidt (which is not requested in the Petition); and <u>does not</u> request that Karen Schmidt be released from her duties as Guardian of the Estate (which can only be done upon the filing of Ex Parte Petition for Final Discharge and Order)(see note above).
Aff.Sub.Wit.	Beginning POH	- \$37,618.44	
✓ Verified	Ending POH	- \$36,915.52	
Inventory	Guardian	- waives	
PTC	Attorney	- \$312.50 (per	
Not.Cred.	itemization for drafting and review of	Third and Final Accounting)	
✓ Notice of Hrg	Costs	- \$395.00	
✓ Aff.Mail	(filing fees)		
Aff.Pub.	Petitioner states that Heather Schmidt is now 18 and requests that the Guardianship of the Estate be terminated.		
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt	<b>Petitioner prays for an Order:</b>		
CI Report	1. Approving, allowing and settling the third and final account;		
9202	2. Authorizing the attorney fees and costs; and		
✓ Order	3. Terminating the Guardianship of the Estate of Heather Schmidt; and		
Aff. Posting	4. Releasing Karin Schmidt from her duties as guardian of the estate.		
Status Rpt			
UCCJEA			
Citation			
FTB Notice			

Reviewed by: JF

Reviewed on: 07/10/12

Updates:

Recommendation:

File 2 - Schmidt

<b>DOD: 03/24/2012</b>		<b>KENNETH GEORGESON</b> , surviving spouse is petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		No other proceedings	
<b>Cont. from</b>		Decedent died intestate.	
	<b>Aff.Sub.Wit.</b>		
✓	<b>Verified</b>	Petitioner states: the petitioner and the decedent were married on April 24, 1977. During the parties marriage, they operated a dairy facility, dba Georgeson Dairy. The dairy facility was allocated a Pooling Certificate #05070 by the California Department of Food and Agriculture. The Polling Certificate #05070 was taken as community property.	
	<b>Inventory</b>		
	<b>PTC</b>		
	<b>Not.Cred.</b>		
✓	<b>Notice of Hrg</b>		
✓	<b>Aff.Mail</b>	W	
	<b>Aff.Pub.</b>		
	<b>Sp.Ntc.</b>		
	<b>Pers.Serv.</b>	There are no creditors for the business, dba Georgeson Dairy, or on the Pooling Certificate #05070	
	<b>Conf. Screen</b>		
	<b>Letters</b>	All of the property in the petition was acquired during the marriage and paid for using funds earned during the marriage.	
	<b>Duties/Supp</b>		
	<b>Objections</b>		
	<b>Video Receipt</b>		
	<b>CI Report</b>	Petitioner requests Court confirmation that ½ of the business, dba Georgeson Dairy, and ½ of the California Department of Food and Agriculture Pooling certificate #05070 passed to Kenneth Georgeson on the death of Judy Ann Georgeson, aka Judy Georgeson and that the remaining ½ of the business, dba Georgeson Dairy, and the California Department of Food and Agriculture Pooling Certificate #05070 is confirmed as belonging to Kenneth Georgeson.	
	<b>9202</b>		
✓	<b>Order</b>		
	<b>Aff. Posting</b>		
	<b>Status Rpt</b>		
	<b>UCCJEA</b>		
	<b>Citation</b>		
	<b>FTB Notice</b>		
			<b>Reviewed by:</b> KT / LV
			<b>Reviewed on:</b> 07/09/2012
			<b>Updates:</b>
			<b>Recommendation:</b>
			<b>File 9 - Georgeson</b>

**Petition for Probate of Will and for Letters Testamentary; Authorization to Administer Under IAEA (Prob. C. 8002, 10450)**

<b>DOD: 02/09/2012</b>		<b>HENRY SANCHEZ</b> , brother in law / named executor without bond, is petitioner  Full IAEA – o.k.  Will dated: 07/08/2005  Residence: Reedley Publication: The Business Journal  <b>Estimated value of the estate:</b> Personal property - \$5,000.00 Real property - \$100,000.00 <b>Total: -\$105,000.00</b>  Probate Referee: Steven Diebert	<b>NEEDS/PROBLEMS/COMMENTS:</b>  1. Need Affidavit of Publication in the correct newspaper pursuant to Local Rule 7.9A. Petitioner indicates residence was in Reedley therefore the correct publication should be The Reedley Exponent. Petitioner published in The Business Journal.  <b>Note: If the petition is granted status hearings will be set as follows:</b>  <ul style="list-style-type: none"> <li>• <b>Friday, 12/21/2012 at 9:00a.m. in Dept. 303</b> for the filing of the inventory and appraisal <u>and</u></li> <li>• <b>Friday, 09/20/2013 at 9:00a.m. in Dept. 303</b> for the filing of the first account and final distribution.</li> </ul> Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.	
<b>Cont. from</b>				
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>			s/p
<input checked="" type="checkbox"/>	<b>Verified</b>			
<input type="checkbox"/>	<b>Inventory</b>			
<input type="checkbox"/>	<b>PTC</b>			
<input type="checkbox"/>	<b>Not.Cred.</b>			
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>			
<input checked="" type="checkbox"/>	<b>Aff.Mail</b>			w/o
<input checked="" type="checkbox"/>	<b>Aff.Pub.</b>			
<input type="checkbox"/>	<b>Sp.Ntc.</b>			
<input type="checkbox"/>	<b>Pers.Serv.</b>			
<input type="checkbox"/>	<b>Conf. Screen</b>			
<input checked="" type="checkbox"/>	<b>Letters</b>			
<input checked="" type="checkbox"/>	<b>Duties/Supp</b>			
<input type="checkbox"/>	<b>Objections</b>			
<input type="checkbox"/>	<b>Video Receipt</b>			
<input type="checkbox"/>	<b>CI Report</b>			
<input type="checkbox"/>	<b>9202</b>			
<input checked="" type="checkbox"/>	<b>Order</b>			
<input type="checkbox"/>	<b>Aff. Posting</b>			
<input type="checkbox"/>	<b>Status Rpt</b>			
<input type="checkbox"/>	<b>UCCJEA</b>			
<input type="checkbox"/>	<b>Citation</b>			
<input type="checkbox"/>	<b>FTB Notice</b>			

**Petition for Probate of Will and for Letters Testamentary; Authorization to Administer Under IAEA (Prob. C. 8002, 10450)**

<b>DOD: 09/15/2011</b>	<b>BARBARA CLUTTER</b> , niece / named executor without bond, is petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		1. Petition is incomplete. Page #2 of the Petition is not included.
	Full IAEA – o.k.	
<b>Cont. from</b>		<b>Note: If the petition is granted status hearings will be set as follows:</b>
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>	s/p	
<input type="checkbox"/> <b>Verified</b>		• <b>Friday, 12/21/2012 at 9:00a.m. in Dept. 303</b> for the filing of the inventory and appraisal <u>and</u>
<input type="checkbox"/> <b>Inventory</b>		
<input type="checkbox"/> <b>PTC</b>		• <b>Friday, 09/20/2013 at 9:00a.m. in Dept. 303</b> for the filing of the first account and final distribution.
<input type="checkbox"/> <b>Not.Cred.</b>		
<input checked="" type="checkbox"/> <b>Notice of Hrg</b>		
<input checked="" type="checkbox"/> <b>Aff.Mail</b>	w	
<input checked="" type="checkbox"/> <b>Aff.Pub.</b>		
<input type="checkbox"/> <b>Sp.Ntc.</b>		
<input type="checkbox"/> <b>Pers.Serv.</b>		
<input type="checkbox"/> <b>Conf. Screen</b>		
<input checked="" type="checkbox"/> <b>Letters</b>		
<input checked="" type="checkbox"/> <b>Duties/Supp</b>		
<input type="checkbox"/> <b>Objections</b>		
<input type="checkbox"/> <b>Video Receipt</b>		
<input type="checkbox"/> <b>CI Report</b>		
<input type="checkbox"/> <b>9202</b>		
<input checked="" type="checkbox"/> <b>Order</b>		
<input type="checkbox"/> <b>Aff. Posting</b>		
<input type="checkbox"/> <b>Status Rpt</b>		
<input type="checkbox"/> <b>UCCJEA</b>		
<input type="checkbox"/> <b>Citation</b>		
<input type="checkbox"/> <b>FTB Notice</b>		

**Petition for Probate of Will and for Letters Testamentary (Prob. C. 8002, 10450)**

<b>DOD: 05/05/2012</b>			<b>DAVID MORSE</b> , named executor without bond, is petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
				1. Need Affidavit of Publication.
			Full IAEA- ?	
<b>Cont. from</b>				<b>Note: If the petition is granted status hearings will be set as follows:</b>
	<b>Aff.Sub.Wit.</b>	s/p		
✓	<b>Verified</b>		Will dated: 05/20/2008	
	<b>Inventory</b>			
	<b>PTC</b>		Residence: Squaw Valley	
	<b>Not.Cred.</b>		Publication: Needed	
✓	<b>Notice of Hrg</b>		<b>Estimated value of the estate:</b>	
✓	<b>Aff.Mail</b>	w	Personal property - \$10,000.00	
	<b>Aff.Pub.</b>	x	Real property - \$100,000.00	
	<b>Sp.Ntc.</b>		<b>Total - \$110,000.00</b>	
	<b>Pers.Serv.</b>			
	<b>Conf. Screen</b>		Probate Referee: Rick Smith	
✓	<b>Letters</b>			
✓	<b>Duties/Supp</b>			
	<b>Objections</b>			
	<b>Video Receipt</b>			
	<b>CI Report</b>			
	<b>9202</b>			
✓	<b>Order</b>			
	<b>Aff. Posting</b>			
	<b>Status Rpt</b>			
	<b>UCCJEA</b>			
	<b>Citation</b>			
	<b>FTB Notice</b>			
				<b>Reviewed by: KT / LV</b>
				<b>Reviewed on: 07/09/2012</b>
				<b>Updates:</b>
				<b>Recommendation:</b>
				<b>File 14 – Weaver</b>